

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hugh R. Sharkey et al. Art Unit : 3742
Serial No. : 10/712,006 Examiner : Unknown
Filed : November 14, 2003 Conf. No. : 7828
Title : METHOD FOR TREATING INTERVERTEBRAL DISC

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

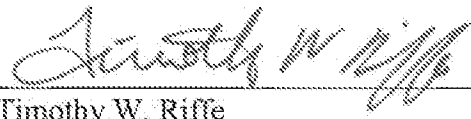
TRANSMITTAL OF SUPPLEMENTAL DECLARATION

Applicants are concurrently filing herewith a supplemental declaration for the above-identified application.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 14, 2007



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SUPPLEMENTAL DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which patents are sought on the inventions entitled METHOD FOR TREATING INTERVERTEBRAL DISC, the specifications of which were filed on November 14, 2003 as Application Serial Nos. 10/712,063, which was amended on March 31, 2004; 10/712,007, which was amended on March 31, 2004 and March 13, 2006; and 10/712,006, which was amended March 31, 2004.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/029,600	October 23, 1996	Expired
60/029,602	October 23, 1996	Expired
60/029,734	October 23, 1996	Expired
60/029,735	October 23, 1996	Expired
60/037,620	February 12, 1997	Expired
60/037,782	February 12, 1997	Expired
60/045,941	May 8, 1997	Expired
60/047,818	May 28, 1997	Expired
60/047,820	May 28, 1997	Expired
60/047,841	May 28, 1997	Expired
60/047,848	May 28, 1997	Expired
60/078,545	March 19, 1998	Expired
60/185,221	February 25, 2000	Expired

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
08/696,051	August 13, 1996	Abandoned
08/881,525	June 24, 1997	Patented
08/881,527	June 24, 1997	Patented
08/881,692	June 24, 1997	Patented
08/881,693	June 24, 1997	Patented
08/881,694	June 24, 1997	Patented
09/022,612	February 12, 1998	Patented
09/022,688	February 12, 1998	Patented
09/153,552	September 15, 1998	Patented
09/162,704	September 29, 1998	Patented
09/236,816	January 25, 1999	Patented
09/272,806	March 19, 1999	Patented
09/340,065	June 25, 1999	Patented
09/664,473	September 18, 2000	Pending
09/707,627	November 6, 2000	Patented
09/753,786	January 2, 2001	Patented
09/776,186	February 1, 2001	Patented
09/776,231	February 1, 2001	Patented
09/792,628	February 22, 2001	Patented
09/876,831	June 6, 2001	Patented
09/876,832	June 6, 2001	Patented
09/876,833	June 6, 2001	Patented
09/884,859	June 18, 2001	Patented
10/242,777	September 13, 2002	Abandoned
10/388,609	March 17, 2003	Patented
10/624,894	July 23, 2003	Abandoned

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
N/A	N/A	N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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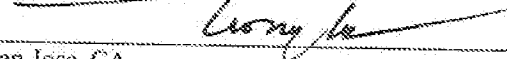
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